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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,126	12/26/2001	Mark Lelental	83727D-W	3342

7590

01/25/2005

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EXAMINER

VIJAYAKUMAR, KALLAMBELLA M

ART UNIT	PAPER NUMBER
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1751

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

10/036,126

Applicant(s)

LELENTAL ET AL.

Examiner

Kallambella Vijayakumar

Art Unit

1751

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 10 December 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-12 and 17-19.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


Mark Kopec
Primary Examiner

Response to Arguments

Applicant's arguments filed 12/10/2004 have been fully considered but they are not persuasive. Applicants argue that the prior art fails to teach the invention because the reference by Gardner et al (US-385) (a) provides a lengthy laundry list of hydrophilic binders without specifically preferring gelatin/gelatin-derivatives as binder, (b) fails to teach conductive polymer particles because conductive complex of PANI is a solubilized film forming complex, (c) coating systems to be organic solvent systems and a skilled worker would not be motivated to combine the organic solvent coating systems of Gardner with an aqueous systems of Muys (combination reference, US-472)) and the office disagrees with these arguments for the following reasons:

With regard to gelatin being a non-preferred binder (a), Gardner et al clearly claim the gelatin or gelatin derivatives as preferred binder in Claim-24 (Col-26, Ln 42-43).

With regard to particulate conductive polymer particles (b), the PANI-protonic acid complex was dissolved in a first solvent in a amount up to about 2% solids, whereby the presence of solid particles of PANI-complex in the coating formulation would have been obvious (Col-14, Lines 65-67).

With regard to ©, the coating composition of Gardner et al comprises a mixture of solvents wherein the ratio of second solvent to first solvent is from 7:1 to 19:1 and Gardner et al further discloses water to be a preferred second solvent in Claim-1 (Col-22, Lines 18-30).


Mark Kopec
Primary Examiner